**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT :**

**THE HONOURABLE MR. JUSTICE A.K.BASHEER**

**TUESDAY, THE 19TH JUNE 2007 / 29TH JYAISHTA 1929**

**WP(C).No. 17352 of 2007(N)**

---

**PETITIONERS:**

1. **RACHEL ABRAHAM,**
   **THEVELIL HOUSE, KIZHAKKUMBHAGOM P.O.,**
   **NIRANAM WEST, THIRUVALLA.**

2. **PROF. C.A.CHACKO,**
   **MANAGER, KADAPRA ST.THOMAS HIGH SCHOOL,**
   **NIRANAM.**

**BY ADV. SRI.P.HARIDAS**

**RESPONDENTS:**

1. **STATE OF KERALA, REPRESENTED BY**
   **ITS SECRETARY, DEPARTMENT OF GENERAL EDUCATION,**
   **TRIVANDRUM.**

2. **DEPUTY DIRECTOR OF EDUCATION,**
   **PATHANAMTHITTA, OFFICE OF THE DDE, THIRUVALLA.**

3. **DISTRICT EDUCATION OFFICER,**
   **THIRUVALLA.**

**BY GOVERNMENT PLEADER SRI.V.T.K.MOHANAN**
**ADV. SRI.S.SUBHASH CHAND**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 19/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

**APPENDIX**

**PETITIONERS EXHIBITS:**

**EXT.P1: COPY OF THE ORDER G.O.(RT) NO.1230/05/G.EDN. DATED 28/3/2005.**

**EXT.P2: COPY OF THE ORDER NO.MG.APT/2007/03 DATED 27/4/2007.**

**EXT.P3: COPY OF LETTER DATED 30/4/2007.**

**EXT.P4: COPY OF THE COMMUNICATION DATED 2/5/2007.**

**EXT.P5: COPY OF THE REQUEST DATED 2/5/2007.**

**EXT.P6: COPY OF THE ORDER NO.B4-3423/07/K.DIS DATED 21/5/2007.**

**EXT.P7: COPY OF THE ORDER DATED 28/7/2005 IN W.P.(C).NO.22474/05.**

**EXT.P8: COPY OF THE APPEAL DATED 4/6/2007 FILED BEFORE THE 2ND RESPONDENT.**

**EXT.P9: COPY OF THE ORDER DATED 4.6.07.**

**TRUE COPY**

**P.A.TO JUDGE**

A.K.BASHEER,J

==========

W.P.(C).No.17352 of 2007

==========

Dated this the 19th day of June,2007

JUDGMENT

Heard learned counsel for the parties.

2. It is submitted on behalf of the petitioners that they will be satisfied if an appropriate direction is issued to respondent No.2 to take a decision on Ext.P8 expeditiously. Learned counsel points out Ext.P8 has been preferred against Ext.P6 order passed by third respondent, the District Educational Officer, Thiruvalla.

3. Having regard to the peculiar facts and circumstances, I am of the view that the prayer made by the petitioner can be allowed. Therefore, the writ petition is disposed of with a direction to respondent No.2 to consider and pass orders on Ext.P8 strictly on its merit and in accordance with law as expeditiously as possible at any rate within two months from the date of receipt of a copy of this judgment.

Respondent No.2 shall ensure that petitioners, additional respondent No.4 and all others who are likely to be affected by the order that may be passed in the matter, are afforded sufficient opportunity to be heard. Petitioners shall produce a certified copy of this judgment before respondent No.2 for compliance. Interim order passed by this Court shall remain in force till a decision is taken on Ext.P8 as directed above. It may be open to additional respondent No.4 to file a written objection, if so advised, against Ext.P8 before respondent No.2.

A.K.BASHEER,JUDGE

dvs